

LAW OFFICES

**TUNE, ENTREKIN & WHITE, P.C.**

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2004 OCT -6 PM 2:32

OF COUNSEL

WM THOMAS MCHUGH

T.R.A. DOCKET ROOM  
F. CLAY BAILEY, JR.  
JOHN D. FITZGERALD, JR.



\* RULE 31 LISTED GENERAL CIVIL MEDIATOR

JOHN C. TUNE (1931-1983)  
ERVIN M. ENTREKIN (1927-1990)  
THOMAS V. WHITE  
JOHN W. NELLEY, JR.  
THOMAS C. SCOTT  
PETER J. STRIANSE  
HUGH W. ENTREKIN  
BEN H. CANTRELL\*  
JOHN P. WILLIAMS\*  
LESA HARTLEY SKONEY  
JOSEPH P. RUSNAK  
TODD E. PANTHER  
SHAWN R. HENRY  
T. CHAD WHITE

October 6, 2004

**Via Hand Delivery Only**

Tennessee Regulatory Authority  
Sharla Dillon, Docket Room Manager  
460 James Robertson Parkway  
Nashville, TN 37243

RE: Petition for Approval to Transfer Cartwright Creek Utility Company, Inc.'s  
Authority to Provide Wastewater Utility Services to Cartwright Creek, LLC; TRA  
Docket No. 04-00307

Dear Sir/Madam:

The following information and attachments have been provided (original and thirteen copies) in response to the Data Request No. 1 forwarded on September 27, 2004 in connection with the above-referenced petition. The numbered paragraphs below correspond with the numbered paragraphs in Data Request No. 1.

1. The date and docket number regarding Cartwright Creek Utility Company, Inc.'s CCN is believed to be Docket No. 74-60 dated approximately November 6, 1974.

2. Attached as collective Exhibit A are the Certificates of Existence issued by the Secretary of State for Tennessee on September 30, 2004 for Cartwright Creek Utility Company, Inc., M. R. S. LLC, and Cartwright Creek, LLC of which Sheaffer International, LLC is the majority owner and managing member.

3. Neither M. R. S. LLC nor Sheaffer International, LLC have a CCN from the TRA. Cartwright Creek, LLC intends to maintain Cartwright Creek Utility Company as the holder of the CCN, but Cartwright Creek Utility Company will be owned, operated, and managed by Cartwright Creek, LLC, and for accounting and tax purposes, Cartwright Creek, LLC intends to file the appropriate Articles of Conversion with the Secretary of State for Tennessee to convert Cartwright Creek Utility Company, Inc. to Cartwright Creek Utility Company, LLC.

Cartwright Creek, LLC intends to provide the proper notice of the entity conversion formality at the same time all other matters requiring notice to customers are provided.

4. Attached as Exhibit B is the proposed Customer Letter for approval clearly explaining the transaction which is the subject of this petition. As required, this letter displays the old and the new letterhead, which are nearly indistinguishable. The envelopes currently used are clear window envelopes through which the addresses of the sender and addressee are seen as printed on the customer's Statement of Account. Attached as Exhibit C is a sample of a customer Statement of Account that is currently used and is to be adopted by Cartwright Creek, LLC.

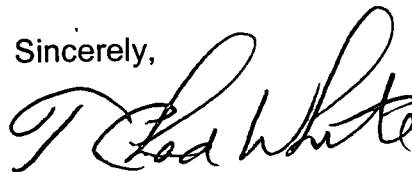
5. The rates and terms of service are not changed as a result of this transaction.

6. With regard to customer accounts and communication, there will be no changes made. The office location and telephone numbers will remain the same.

7. As the owners of M R. S. LLC, Reese L. and Stephen B. Smith will retain a ten percent ownership interest in Cartwright Creek, LLC.

8. Immediately after approval, Cartwright Creek, LLC intends to adopt Cartwright Creek Utility Company, Inc. Tariff as same is currently in effect.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Chad White", written in a cursive style.

T. Chad White

TCW/ab  
Attachments

H:\CWhite\Sheaffer (General) 14124 00\ltr TRA Data Request No 1 wpd

# **EXHIBIT A**

Secretary of State  
Division of Business Services  
312 Eighth Avenue North  
6th Floor, William R. Snodgrass Tower  
Nashville, Tennessee 37243

ISSUANCE DATE: 09/30/2004  
REQUEST NUMBER: 04274117  
TELEPHONE CONTACT: (615) 741-6488

CHARTER/QUALIFICATION DATE: 01/29/1974  
STATUS: ACTIVE  
CORPORATE EXPIRATION DATE: PERPETUAL  
CONTROL NUMBER: 0005150  
JURISDICTION: TENNESSEE

TO:  
TUNE ENTREKIN & WHITE  
T. CHAD WHITE  
315 DEADERICK STREET  
NASHVILLE, TN 37238

REQUESTED BY:  
TUNE ENTREKIN & WHITE  
T. CHAD WHITE  
315 DEADERICK STREET  
NASHVILLE, TN 37238

CERTIFICATE OF EXISTENCE

I, RILEY C DARNELL, SECRETARY OF STATE OF THE STATE OF TENNESSEE DO HEREBY CERTIFY THAT

-----  
"CARTWRIGHT CREEK UTILITY COMPANY, INC."  
-----

IS A CORPORATION DULY INCORPORATED UNDER THE LAW OF THIS STATE WITH DATE OF  
INCORPORATION AND DURATION AS GIVEN ABOVE;  
THAT ALL FEES, TAXES, AND PENALTIES OWED TO THIS STATE WHICH AFFECT THE  
EXISTENCE OF THE CORPORATION HAVE BEEN PAID;  
THAT THE MOST RECENT CORPORATION ANNUAL REPORT REQUIRED HAS BEEN FILED  
WITH THIS OFFICE; AND  
THAT ARTICLES OF DISSOLUTION HAVE NOT BEEN FILED; AND  
THAT ARTICLES OF TERMINATION OF CORPORATE EXISTENCE HAVE NOT BEEN FILED

-----  
FOR: REQUEST FOR CERTIFICATE

ON DATE: 09/30/04

FROM:  
TUNE ENTREKIN & WHITE (315 DEADERICK ST)  
315 DEADERICK ST  
2100 1ST AMER. CTR.  
NASHVILLE, TN 37238-0000

	FEES	
RECEIVED:	\$80.00	\$0.00
TOTAL PAYMENT RECEIVED:		\$80.00

RECEIPT NUMBER: 00003591241  
ACCOUNT NUMBER: 00002808



*Riley C Darnell*

RILEY C DARNELL  
SECRETARY OF STATE

Secretary of State  
Division of Business Services  
312 Eighth Avenue North  
6th Floor, William R. Snodgrass Tower  
Nashville, Tennessee 37243

ISSUANCE DATE: 09/30/2004  
REQUEST NUMBER: 04274117  
TELEPHONE CONTACT: (615) 741-6488

CHARTER/QUALIFICATION DATE: 06/01/1995  
STATUS: ACTIVE  
CORPORATE EXPIRATION DATE: PERPETUAL  
CONTROL NUMBER: 0295648  
JURISDICTION: TENNESSEE

TO:  
TUNE ENTREKIN & WHITE  
T. CHAD WHITE  
315 DEADERICK STREET  
NASHVILLE, TN 37238

REQUESTED BY:  
TUNE ENTREKIN & WHITE  
T. CHAD WHITE  
315 DEADERICK STREET  
NASHVILLE, TN 37238

CERTIFICATE OF EXISTENCE

I, RILEY C DARNELL, SECRETARY OF STATE OF THE STATE OF TENNESSEE DO HEREBY CERTIFY THAT

"M. R. S., LLC"

A LIMITED LIABILITY COMPANY DULY FORMED UNDER THE LAW OF THIS STATE WITH DATE OF  
FORMATION AND DURATION AS GIVEN ABOVE;  
THAT ALL FEES, TAXES, AND PENALTIES OWED TO THIS STATE WHICH AFFECT THE  
EXISTENCE OF THE LIMITED LIABILITY COMPANY HAVE BEEN PAID;  
THAT THE MOST RECENT LIMITED LIABILITY ANNUAL REPORT REQUIRED HAS BEEN FILED;  
THAT ARTICLES OF DISSOLUTION HAVE NOT BEEN FILED; AND  
THAT ARTICLES OF TERMINATION OF THE EXISTENCE HAVE NOT BEEN FILED.

FOR: REQUEST FOR CERTIFICATE

ON DATE: 09/30/04

FROM:  
TUNE ENTREKIN & WHITE (315 DEADERICK ST)  
315 DEADERICK ST  
2100 1ST AMER. CTR.  
NASHVILLE, TN 37238-0000

	FEES	
RECEIVED:	\$80.00	\$0.00
TOTAL PAYMENT RECEIVED:		\$80.00
RECEIPT NUMBER:	00003591241	
ACCOUNT NUMBER:	00002808	



*Riley C Darnell*

RILEY C DARNELL  
SECRETARY OF STATE

Secretary of State  
Division of Business Services  
312 Eighth Avenue North  
6th Floor, William R. Snodgrass Tower  
Nashville, Tennessee 37243

ISSUANCE DATE: 09/30/2004  
REQUEST NUMBER: 04274117  
TELEPHONE CONTACT: (615) 741-6488

CHARTER/QUALIFICATION DATE: 06/21/2004  
STATUS: ACTIVE  
CORPORATE EXPIRATION DATE: PERPETUAL  
CONTROL NUMBER: 0472078  
JURISDICTION: TENNESSEE

TO:  
TUNE ENTREKIN & WHITE  
T. CHAD WHITE  
315 DEADERICK STREET  
NASHVILLE, TN 37238

REQUESTED BY:  
TUNE ENTREKIN & WHITE  
T. CHAD WHITE  
315 DEADERICK STREET  
NASHVILLE, TN 37238

CERTIFICATE OF EXISTENCE

I, RILEY C DARNELL, SECRETARY OF STATE OF THE STATE OF TENNESSEE DO HEREBY CERTIFY THAT

"CARTWRIGHT CREEK, LLC"

A LIMITED LIABILITY COMPANY DULY FORMED UNDER THE LAW OF THIS STATE WITH DATE OF  
FORMATION AND DURATION AS GIVEN ABOVE;  
THAT ALL FEES, TAXES, AND PENALTIES OWED TO THIS STATE WHICH AFFECT THE  
EXISTENCE OF THE LIMITED LIABILITY COMPANY HAVE BEEN PAID;  
THAT ARTICLES OF DISSOLUTION HAVE NOT BEEN FILED; AND  
THAT ARTICLES OF TERMINATION OF THE EXISTENCE HAVE NOT BEEN FILED.

FOR: REQUEST FOR CERTIFICATE

ON DATE: 09/30/04

FROM:  
TUNE ENTREKIN & WHITE (315 DEADERICK ST)  
315 DEADERICK ST  
2100 1ST AMER. CTR.  
NASHVILLE, TN 37238-0000

	FEES	
RECEIVED:	\$80.00	\$0.00
TOTAL PAYMENT RECEIVED:		\$80.00

RECEIPT NUMBER: 00003591241  
ACCOUNT NUMBER: 00002808



*Riley C Darnell*

RILEY C DARNELL  
SECRETARY OF STATE

# **EXHIBIT B**

## **Cartwright Creek Utility Co, Inc.**

2033 Richard Jones Road  
Nashville, TN 37215  
615-383-9070

## **Cartwright Creek, LLC**

2033 Richard Jones Road  
Nashville, TN 37215  
615-383-9070

October 1, 2004

To: All Customers of Cartwright Creek Utility Company

It is our pleasure to inform you of some exciting changes and improvements to your wastewater services that will be of great benefit to you and our environment. On \_\_\_\_\_, 2004, the Tennessee Regulatory Authority approved the purchase of Cartwright Creek Utility Company, Inc. (your current provider) by Cartwright Creek, LLC, which is primarily owned and managed by Sheaffer International, LLC.

Sheaffer International is an Illinois-based firm that designed the Sheaffer System of wastewater treatment under the direction of the Chairman and founder, Dr. Jack Sheaffer. Dr. Sheaffer invented the Sheaffer System after helping to write the federal Clean Water Act in the 1970's, while he was serving as Science Advisor to the Secretary of the United States Army. Since that time, Dr. Sheaffer has devoted his life to helping provide people with clean water. According to Dr. Sheaffer, "The Sheaffer System treats pollutants as resources out of place. When wastewater is reclaimed for beneficial reuse, such as spray irrigation to parks, golf courses, and farmland, rather than merely relocating and polluting our rivers and streams, wastewater becomes a source of pride for a community, rather than a source of headaches."

The Sheaffer System reclaims wastewater in a natural process relying on two abundant resources: time and air. In conventional wastewater systems, wastewater is treated in 4 to 24 hours and then discharged to a river or stream. This process creates massive amounts of sludge that must then be disposed. The Sheaffer System treats wastewater for a much longer period of time - more than 30 days. Over this extended time, wastewater is treated first anaerobically, then aerobically as compressed air is injected into the treatment cells. The result of the Sheaffer treatment process is (1) clean water (2) without creating sludge (3) with no offensive odors. The Sheaffer System looks and smells like a natural pond with bubbles on top and is an inviting home for fish, waterfowl, and natural vegetation.

Among other renovations and improvements, Sheaffer currently intends to expand the plant and increase flow improving the collection system all of which will ensure efficient, cost effective, long-term viability of the plant at reasonable rates



Currently, Sheaffer does not intend to increase its rates to existing customers, however, new customers can expect to pay increased tap-on fees that correspond with the costs of certain improvements. We expect all of these changes and improvements to be essentially undetectable to current customers.

Please be assured that your account information and rates will not be changed as a result of the matters outlined above, and the address for payment and correspondence will remain the same: 2033 Richard Jones Road, Nashville, TN 37215; 615/383-9070. If your account is set up as an automatic draft from your checking account, this arrangement will not be changed

Sincerely,

# **EXHIBIT C**

**Cartwright Creek Utility Co.**  
2033 Richard Jones Road  
Nashville, TN 37215

# Statement of Account

Name  
Address  
Address

STATEMENT DATE

05/03/04

ACCOUNT NO.

DATE	INVOICE	DESCRIPTION	CHARGES	CREDITS	AMOUNT DUE	BALANCE
------	---------	-------------	---------	---------	------------	---------

Monthly payments due by 15th of each month. Late payments will be subject to finance charges

Current 0.00	1 to 30 0.00	31 to 60 0.00	61 to 90 0.00	Over 90 0.00	TOTAL	0.00
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Please call 615-383-9070 if questions.